

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * *

UNITED STATES OF AMERICA,

Plaintiff,

v.

JOE ELTON MOSLEY,

Defendants.

Case No. 3:20-cr-00004-LRH-CLB

ORDER

WHEREAS, the Defendant Joe Elton Mosley (“Mosley”) was sentenced by this Court on April 12, 2022, for the offense of Felon in Possession of a Firearm. ECF No. 89. Mr. Mosley was sentenced to fifteen (15) months imprisonment followed by thirty-six (36) months supervised release; his supervised release having commenced on April 12, 2022. ECF No. 90.

WHEREAS, the Probation Office has petitioned the Court to issue a summons requiring Mr. Mosley to appear before the Court based upon alleged violated conditions of his supervision, which include the failure to follow instructions of his probation officer, a lack of cooperation with regard to his probation officer’s visits and inspections of Mr. Mosley’s residence, a general lack of cooperation with his probation officer, and a failure to cooperate with other conditions of his supervised release. ECF No. 98.

WHEREAS, based upon the alleged violations, the Court would be entitled to issue an arrest warrant for Mr. Mosley and have him brought before the Court for a hearing upon violations of his supervised release. However, the Probation Office has not requested that Mr. Mosley be arrested. Rather, the Probation Office requests that a Summons be issued which will require Mr.

1 Mosley to appear by videoconference before the Court for a Compliance Review Hearing relative
2 to the conditions of his supervised release.

3 WHEREAS, the Court notes that there have been no reported criminal law violations by
4 Mr. Mosley since he commenced his term of supervised release, that he has part-time employment,
5 and that he is living in the personal home of his brother in which his mother also resides.

6 WHEREAS, under the foregoing circumstances and good cause appearing, the Court is not
7 going to issue a bench warrant for the arrest of Mr. Mosley at this time. Instead, the Court orders
8 the accompanying summons which will require the appearance of Mr. Mosley at a videoconference
9 Compliance Review Hearing on May 14, 2024 at 11:00 a.m. Mr. Mosley may appear at the video
10 hearing through cooperation with either appointed Reno CJA counsel or the Reno Federal Public
11 Defender's Office together with the Colorado Federal Public Defender's Office.

12 WHEREAS, if Mr. Mosley is fully compliant with this order and the summons, it is not
13 the Court's intention to revoke his supervised release. But it is important that the Court be assured,
14 and that Mr. Mosley agrees, that he will cooperate with the Probation Office with regard to all of
15 the conditions of his supervised release as ordered by the Court at the time of his sentencing. Mr.
16 Mosley's personal presence and cooperation at the compliance hearing is required. It is the Court's
17 hope that he will be aggregable and be able to successfully complete his supervised release without
18 further complication.

19 WHEREAS, if Mr. Mosley fails to appear at the ordered Compliance Review Hearing, a
20 bench warrant will be issued for his arrest and the alleged violations of his supervised release will
21 be heard at a hearing to follow. At such a hearing, any lack of cooperation will be before the Court
22 and, if he is found in violation of his supervised release, his supervised release could be extended
23 for up to thirty-six (36) months and he could be returned to prison for up to nine (9) months.

24 Good cause appearing, IT IS HEREBY ORDERED that a Compliance Review Hearing on
25 Mr. Mosley's conditions of supervised release is set for videoconference on May 14, 2024 at 11:00
26 a.m. in Reno Courtroom 3.


27 ///

28 ///

1 IT IS FURTHER ORDERED that the Clerk of the Court shall issue a Summons in
2 accordance with this order.

3 IT IS SO ORDERED.

4 DATED this 15th day of April, 2024.

5
6 
7 LARRY R. HICKS
8 UNITED STATES DISTRICT JUDGE
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28